

Joseph J. Tabacco, Jr. (Bar No. 75484)
Christopher T. Heffelfinger (Bar No. 118058)
Matthew Ruan (Bar No. 264409)

BERMAN DE VALERIO

One California Street, Suite 900

San Francisco, CA 94111

Telephone: (415) 433-3200

Facsimile: (415) 433-6382

Email: jtabacco@bermande

cheffelfinger@bermandevalerio.

mruan@bermandevalerio.com

Attorneys for Plaintiffs

[Additional counsel listed on signature page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

1 WHEREAS the undersigned plaintiff has filed the above-captioned case;

2 WHEREAS plaintiff alleges antitrust violations by manufacturers, distributors, and

3 sellers of Optical Disc Drives and products containing Optical Disc Drives (collectively “ODD

4 products”);

5 WHEREAS several other complaints have been filed to date in federal district courts

6 throughout the United States by plaintiffs purporting to bring class actions on behalf of direct

7 purchasers alleging antitrust violations by manufacturers, distributors, and sellers of ODD

8 products (collectively “the ODD Cases”);

9 WHEREAS plaintiff anticipates the possibility of Consolidated Amended Complaints in

10 the ODD Cases;

11 WHEREAS plaintiff and HITACHI, LTD. (“HITACHI”) have agreed that an orderly

12 schedule for any response to the pleadings in the ODD Cases would be more efficient for the

13 parties and for the Court;

14 WHEREAS plaintiff agrees that the deadline for HITACHI to answer, move, or

15 otherwise respond to its Complaint shall be extended until the earliest of the following dates: (1)

16 forty-five days after the filing of a Consolidated Amended Complaint in the ODD Cases; or (2)

17 forty-five days after plaintiff provides written notice to HITACHI that plaintiff does not intend to

18 file a Consolidated Amended Complaint; or (3) any earlier response date to which HITACHI

19 agrees or by which it is ordered to respond in any ODD case;

20 WHEREAS this Stipulation does not constitute a waiver by HITACHI of any defense,

21 including but not limited to the defenses of lack of personal jurisdiction, subject matter

22 jurisdiction, improper venue, sufficiency of process or service of process;

23 PURSUANT TO LOCAL RULE 6-1(a), PLAINTIFF AND DEFENDANT HITACHI,

24 BY AND THROUGH THEIR RESPECTIVE COUNSEL OF RECORD, HEREBY

25 STIPULATE AS FOLLOWS:

26 1. The deadline for HITACHI to answer, move, or otherwise respond to plaintiff's

27 Complaint shall be extended until the earliest of the following dates: (1) forty-five days after the

1 filing of a Consolidated Amended Complaint in the ODD Cases; or (2) forty-five days after
2 plaintiff provides written notice to HITACHI that plaintiff does not intend to file a Consolidated
3 Amended Complaint; or (3) any earlier response date to which HITACHI agrees or by which it is
4 ordered to respond in any ODD case.

5 2. This Stipulation does not constitute a waiver by HITACHI, or any other named
6 defendant joining the Stipulation of any defense, including but not limited to the defenses of lack
7 of personal jurisdiction, subject matter jurisdiction, improper venue, sufficiency of process or
8 service of process.

9 Dated: April 8, 2010

Respectfully submitted,

BERMAN DEVALERIO

By: /S/ Christopher T. Heffelfinger
Christopher T. Heffelfinger

Joseph J. Tabacco, Jr.
Todd A. Seaver
Matthew Ruan
One California Street, Suite 900
San Francisco, CA 94111
Telephone: (415) 433-3200
Facsimile: (415) 433-6382
Email: jtabacco@bermandevalerio.com
cheffelfinger@bermandevalerio.com
tseaver@bermandevalerio.com
mruan@bermandevalerio.com

Manuel J. Dominguez
Daniel A. Bushell
Marc J. Greenspon
BERMAN DEVALERIO
4280 Professional Center Drive, Suite 350
Palm Beach Gardens, FL 33410
Telephone: (415) 433-3200
Facsimile: (415) 433-6382
Email: jdominguez@bermandevalerio.com
dbushell@bermandevalerio.com
mjgreenspon@bermandevalerio.com

1 Peter A. Pease
2 Nathaniel L. Orenstein
3 **BERMAN DEVALERIO**
4 One Liberty Square
5 Boston, MA 02109
6 Telephone: (415) 433-3200
7 Facsimile: (415) 433-6382
8 Email: pplease@bermandevalerio.com
9 norenstein@bermandevalerio.com

10
11 Mary Jane Fait
12 Adam J. Levitt
13 Michael D. Yanovsky
14 **WOLF HALDENSTEIN ADLER**
15 **FREEMAN & HERZ LLC**
16 55 West Monroe Street, Suite 1111
17 Chicago, IL 60603
18 Telephone: (312) 984-0000
19 Facsimile: (312) 984-0001
20 Email: fait@whafh.com
levitt@whafh.com
yanovsky@whafh.com

21
22 Francis M. Gregorek
23 **WOLF HALDENSTEIN ADLER**
24 **FREEMAN & HERZ LLC**
25 Symphony Towers
26 750 B Street, Suite 2770
27 San Diego, CA 92101
Telephone: (619) 239-4599
Facsimile: (619) 234-4599
Email: gregorek@whafh.com

28
29 *Attorneys for Plaintiff Univisions-Crimson
30 Holding Inc.*

31 Dated: April 8, 2010

32 **McDERMOTT WILL & EMERY LLP**

33 By: /s/ Pamela J. Marple
34 Craig P. Seebald, cseebald@mwe.com
35 Pamela J. Marple, pmarple@mwe.com
36 McDermott Will & Emery, LLP
37 600 - 13th Street, NW
38 Washington, DC 20005
39 Telephone 202-756-8144
40 Facsimile 202-756-8087

Matthew J. Jacobs (171149)
mjacobs@mwe.com
MCDERMOTT WILL & EMERY, LLP
275 Middlefield Road, Suite 100
Menlo Park, CA 94025
Telephone: 650-815-7411
Facsimile: 650-815-7401

Attorneys for Defendant HITACHI LTD.

SIGNATURE ATTESTATION

I, Christopher T. Heffelfinger, the ECF User whose identification and password are being used to electronically file this document hereby attest, in compliance with General Order 45.X.B., that Pamela J. Marple has concurred in its filing and that Ms. Marple's signature, indicated by a conformed signature ("s") within this e-filed document, will be kept on file.

Dated: April 8, 2010

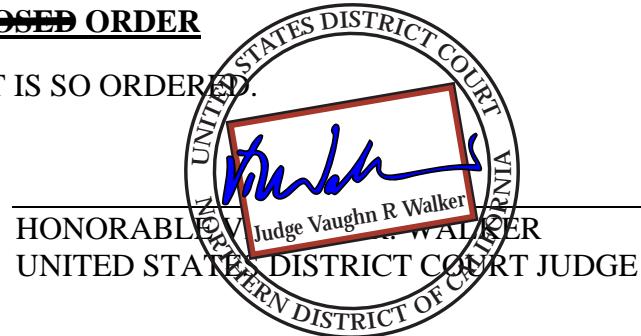
By: /S/ Christopher T. Heffelfinger

Christopher T. Heffelfinger

1 **PROPOSED ORDER**
2

3 PURSUANT TO STIPULATION, IT IS SO ORDERED.
4

5 Dated: April 13, 2010
6



CERTIFICATE OF SERVICE

I, Katie P. Umpierre, declare that I am over the age of eighteen and not a party to the
within action. I am employed in the law firm of Berman DeValerio, One California Street, Suite
900, San Francisco, California 94111. On April 8, 2010, using the Northern District of
California's Electronic Case Filing System ("ECF"), with the ECF ID registered to Christopher
T. Heffelfinger, and at his direction, I filed and served a true and correct copy of the document
described as follows:

**STIPULATION RE EXTENSION OF TIME FOR DEFENDANT
HITACHI, LTD. TO RESPOND TO COMPLAINT; [PROPOSED] ORDER
EXTENDING TIME TO RESPOND TO COMPLAINT**

The ECF System is designed to automatically generate an e-mail message to all parties in the case, which constitutes service.

Executed April 8, 2010, at San Francisco, California.

Katie P. Umpierre
Katie P. Umpierre